

## REMARKS

In the Office Action mailed from the United States Patent and Trademark Office on March 7, 2007, the Examiner rejected claims 1 and 14 under 35 U.S.C. 112, first paragraph, and rejected claims 1-18, 20-24 under 35 U.S.C. 103(a) as being unpatentable over Maniwa et al (United States Patent No. 5,704,978, hereinafter "Maniwa"). Accordingly, Applicant respectfully provides the following:

### Rejection under 35 U.S.C. 112

In the Office Action, the Examiner rejected claims 1 and 14 under 35 U.S.C. 112, first paragraph. Applicant respectfully provides that the amendments provided herein overcome the rejection made under 35 U.S.C. 112.

### Rejection under 35 U.S.C. 103

In the Office Action, the Examiner rejected claims 1-18, 20-24 under 35 U.S.C. 103(a) as being unpatentable over Maniwa. Applicant respectfully submits that Maniwa does not make obvious the claims as provided herein, and respectfully provides the following:

The standard for a Section 103 rejection is set for in M.P.E.P 706.02(j), which provides:

To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or combine reference teachings. Second, there must be a reasonable expectation of success. Finally, **the prior art reference (or references when combined) must teach or suggest all the claim limitations.** The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). (Emphasis added).

Applicant respectfully submits that the references cited by the Examiner do not teach or suggest the limitations claimed in the present invention. In particular, independent base claim 1 recites a method for applying a coating to a surface of an item, said method comprising:

providing a die having a cavity and an aperture, said aperture having a collection surface and interior wall surfaces; providing a substantially rigid item for coating, wherein a cross-sectional configuration of said item corresponds to a cross-sectional configuration of said interior wall surfaces; feeding a coating material into said cavity of said die; using said collection surface as a receiving channel that collects said coating material in said cavity for application onto a surface of said item; applying said coating material to said surface of said item by passing said item through said coating material in said cavity; and using said interior wall surfaces to form a uniform and consistent layer of coating material on said item and to achieve a consistent exterior finish of said coating material where said coating is applied to said item. Such limitations in independent base claim 1 are supported by the application as originally filed.

In contrast, Maniwa does not teach or suggest such limitations as recited in independent claim 1. For example, Maniwa does not teach or suggest “applying said coating material to said surface of said item by passing said item through said coating material in said cavity”. Moreover, Maniwa does not teach or suggest “using said interior wall surfaces to form a uniform and consistent layer of coating material on said item and to achieve a consistent exterior finish of said coating material where said coating is applied to said item”. For at least these reasons, Maniwa does not teach or suggest each and every limitation of independent base claim 1. And, since Maniwa does not teach or suggest each and every limitation of independent base claim 1, Applicant respectfully submits that Maniwa does not make obvious independent base claim 1 as provided herein. And, since Maniwa does not make obvious independent base claim 1, Applicant respectfully submits that Maniwa does not make obvious the corresponding dependent claims that depend from independent base claim 1.

Independent base claim 14 recites a method for applying a coating material to one or more of a plurality of items in series, said method comprising: providing a two-part die having a cavity and an aperture, said aperture having a collection surface and interior wall surfaces; providing a non-continuous, substantially rigid item for coating, wherein a cross-sectional configuration of said item corresponds to a cross-sectional configuration of said interior wall surfaces; feeding a coating material into said cavity of said die; using said collection surface as a receiving channel that collects said coating material in said cavity for application onto a surface of said item; applying said coating material to said surface of said item by passing said item through said coating material in said cavity; and using said interior wall surfaces to ensure a uniform and consistent layer of coating material on said item and to achieve a consistent exterior finish of said coating material where said coating is applied to said item. Such limitations in independent base claim 14 are supported by the application as originally filed.

In contrast, Maniwa does not teach or suggest such limitations as recited in independent claim 14. For example, Maniwa does not teach or suggest “applying said coating material to said surface of said item by passing said item through said coating material in said cavity”. Moreover, Maniwa does not teach or suggest “using said interior wall surfaces to ensure a uniform and consistent layer of coating material on said item and to achieve a consistent exterior finish of said coating material where said coating is applied to said item”. For at least these reasons, Maniwa does not teach or suggest each and every limitation of independent base claim 14. And, since Maniwa does not teach or suggest each and every limitation of independent base claim 14, Applicant respectfully submits that Maniwa does not make obvious independent base claim 14 as provided herein. And, since Maniwa does not make obvious independent base claim

14, Applicant respectfully submits that Maniwa does not make obvious the corresponding dependent claims that depend from independent base claim 14.

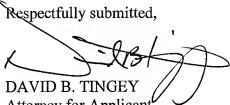
Thus, Applicant respectfully submits that for at least the reasons provided herein, the claim set as provided herein overcomes all rejections made by the Examiner in the Office Action.

CONCLUSION

Applicant submits that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicant requests favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

DATED this 7<sup>th</sup> day of September, 2007.

Respectfully submitted,



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